



NEW YORK CITY DEPARTMENT OF CORRECTION  
Joseph Ponte, Commissioner

Laura S. Mello  
Senior Counsel | FOIL Officer  
75-20 Astoria Boulevard  
East Elmhurst, New York 11370

718-546-0952  
Fax 718-278-6001

July 16, 2014

Todd Feathers  
MuckRock News  
DEPT MR 10487  
PO Box 55819  
Boston, MA 02205-5819

Re: FOIL Request

Dear Mr. Feathers:

This letter is an initial response to your request for records (copy enclosed). Please be advised that the Department is still in the process of identifying records potentially responsive to your request, reviewing all such records, and determining which records may be subject to the exemptions set forth in the New York State Freedom of Information Law. The Department expects to be in a position to respond to your request in approximately two months.

Very truly yours,

A handwritten signature in cursive script, appearing to read "LMello".

Laura S. Mello  
Records Access Officer

Enclosure

75-20 Astoria Blvd  
East Elmhurst, New York 11370  
LEGAL  
19 FEB 2014 10 34

Laura S. Mello  
Records Access Officer  
New York City Department of Correction  
75-20 Astoria Blvd  
East Elmhurst, New York 11370

February 12, 2014

To Whom It May Concern:

Pursuant to the New York State Freedom of Information Law (1977 N.Y. Laws ch. 933), I hereby request the following records:

All administrative investigations since Aug. 20, 2012 into allegations of sexual abuse in correctional facilities administered by your agency. Title 115.71 (f) of the federal Prison Rape Elimination Act (PREA) requires that all administrative investigations "shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings."

-All criminal investigations since Aug. 20, 2012 of allegations of sexual abuse in correctional facilities administered by your agency. Title 115.71 (g) of the PREA requires that all criminal investigations "shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible."

Title 115.71 (i) of the PREA requires that correctional agencies maintain copies of administrative and criminal investigations for "as long as the alleged abuser is incarcerated or employed by the agency, plus five years."

I understand that the documents I am requesting contain sensitive, personal information, and I expect that you will redact names and other identifying facts.

As a member of the news media, I request that all fees be waived.

I also request that, if appropriate, fees be waived as I believe this request is in the public interest. The requested documents will be made available to the general public free of charge as part of the public information service at MuckRock.com, processed by a representative of the news media/press and is made in the process of news gathering and not for commercial usage.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Todd Feathers

Filed via MuckRock.com

E-mail (Preferred): [10487-13536399@requests.muckrock.com](mailto:10487-13536399@requests.muckrock.com)

For mailed responses, please address (see note):

MuckRock News

DEPT MR 10487

PO Box 55819

Boston, MA 02205-5819

PLEASE NOTE the new address as well as the fact that improperly addressed (i.e., with the requester's name rather than MuckRock News) requests might be returned by the USPS as undeliverable.